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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

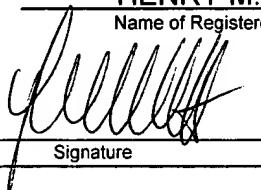
Docket No.: THEURER-21

In re Application of:	)
JOSEF THEURER et al.	)
Appl. No.: 09/501,251	) Examiner: Jeffrey R. West
Filed: February 10, 2000	) Group Art Unti: 2857
For: METHOD OF SURVEYING A TRACK	)

NOTICE OF APPEAL TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450", on March 5, 2004.  
(Date)

HENRY M. FEIEREISEN  
Name of Registered Representative  
  
Signature  
3-5-2004  
Date of Signature

SIR:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated December 5, 2003 of the Examiner finally rejecting claims 1 and 3.

The items checked below are appropriate:

**1. STATUS OF APPLICANT**

This application is on behalf of  
 other than small entity  
 small entity  
Verified Statement  
 attached  
 already filed on \_\_\_\_\_

**2. FEE FOR FILING NOTICE OF APPEAL**

Persuant to 37 C.F.R. 1.17(e) the fee for filing the Notice of Appeal is

small entity \$165.00  
 other than a small entity \$330.00

Notice of Appeal Fee due \$330.00

**3. EXTENSION OF TERM**

a.  The Commissioner is hereby petitioned to extend the period for response to above-referenced Official Action by month until . Accompanying this amendment is the appropriate fee of \$ .00 pursuant to 37 C.F.R. §1.17(c) and 37 C.F.R. §1.136(a).  
b.  Request for Extension of Time was filed on together with a Request for Reconsideration, and the appropriate fee of was paid.

**4. TOTAL FEE DUE**

The total fee due is

Notice of Appeal fee \$330.00  
Extension fee (if any) \$ 00.00

TOTAL FEE DUE \$330.00

**5. FEE PAYMENT**

Attached is a check in the sum of \$330.00.  
 Please charge the fee to Deposit Account No.06-0502.

**6. FEE DEFICIENCY**

The Commissioner is hereby authorized to charge payment of any additional fees which may be required with this communication, or credit any overpayment to Deposit Account No. 06-0502. A duplicate copy of this sheet is provided.

Respectfully submitted,

By:   
Henry M. Feiereisen  
Reg. No.: 31,084  
Agent for Applicant

Date: March 5, 2004  
350 Fifth Avenue  
Suite 4714  
New York, N.Y. 10118  
(212) 244-5500  
HMF:af



6. FEE DEFICIENCY

The Commissioner is hereby authorized to charge payment of any additional fees which may be required with this communication, or credit any overpayment to Deposit Account No. 06-0502. A duplicate copy of this sheet is provided.

Respectfully submitted,

By:   
Henry M. Feiereisen  
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Date: March 5, 2004  
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